



PATENT
Atty Ref.: 8277.05107

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appl. of: THOMAS M. YOUNG, *ET AL.*)
Serial No.: 10/691,067) Group Art Unit: 3746
Filed: 21 October 2003) Examiner: Peter J. Bertheaud
Title: CAPILLARY PUMPS FOR)
VAPORIZATION OF LIQUIDS)

CERTIFICATE OF MAILING 37 C.F.R. §1.8

I hereby certify that this Document (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service, First Class Mail, under 37 C.F.R. §1.8, in an envelope with sufficient postage addressed to: MAIL STOP AMENDMENT, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 13 February 2007.

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AMENDMENT AND RESPONSE

37 C.F.R. §1.111

Responsive to the Official Action dated 17 October 2006 for the above-referenced application for patent, Applicants herein request and pay the fee for a one month extension of time, small entity, in order to timely file this Amendment and Response (37 C.F.R. §1.111). Entry of the amendments to the specification and claims and reconsideration of the application in light of the amendments and discussions below is respectfully requested.

Once the requested amendments are made, as the final number of claims presented for consideration are fewer than the number originally filed, it is not believed that any additional fees are due at this time. In the event that any payments are due, however, it is requested that the Commissioner charge any fees and credit any overpayments to the credit card account indicated in the accompanying credit card document.

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INTRODUCTORY COMMENTS

The status of the claims are as follows: Claims 1-29 are pending in the current application. Claims 1-4 and 9-29 were rejected; Claims 5-8 were objected to.

Claims 1-4, 9-12, 14-17, 19 and 26-29 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-3, 10, 16-18, 25 and 28 of U.S. Pat. No. 6,634,864 (the '864 patent).

Claim 20 stands rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claim 1 of the '864 patent.

Claim 22 stands rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claim 1 of the '864 patent.

Claims 13 and 18 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claim 1 of the '864 patent in view of U.S. Pat. No. 4,325,345 (Wilkinson).

Claim 24 stands rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claim 1 of the '864 patent in view of U.S. Pat. No. 4,937,053 (Harvey).

Claim 25 stands rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claim 1 of the '864 patent in view of U.S. Pat. No. 3,869,242 (Schladitz).

Claims 5-8 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants herein cancel Claims 2, 3, 14, 16-18, 20 and 26-28; amend Claims 1, 4, 6,

8-13, 15, 19, 21-25 and 29; represent Claims 5 and 7 in independent format; and add new claims 30-32.

Aside from support generally throughout the specification as originally filed, additional support for new claims 30-32 may be found as follows. Support for new Claim 30 may be found especially at paragraphs 85 and 86; support for new Claim 31 may be found especially at paragraphs 38, 85 and 86; and support for new Claim 32 may be found variously at paragraphs 17, 115, 126, 138 and 145.

Amendments to the Specification, Amendments to the Claims, Remarks directed to the foregoing amendments and Applicants' responses to the Examiner's rejections and objections follow. Entry of the amendments and favorable reconsideration of the application are requested.